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REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS

Assistance to unaccompanied refugee minors

Report of the Secretary-General

I. INTRODUCTION

1. At its forty-ninth session, on 23 December 1994, the General Assembly adopted resolution 49/172, which, inter alia:

(a) Called upon all Governments, the Secretary-General, the Office of the United Nations High Commissioner for Refugees (UNHCR) and all other United Nations organizations and non-governmental organizations concerned to exert the maximum effort to assist and protect refugee minors and to expedite the return to and reunification with their families of unaccompanied minors;

(b) Requested UNHCR and other United Nations organizations concerned to take appropriate steps to mobilize resources commensurate to the needs and interests of the unaccompanied refugee minors and for the reunification with their families;

(c) Condemned all acts of exploitation of the unaccompanied minors, including their use as soldiers or human shields in armed conflict and their recruitment into military forces, and any other acts that endanger their safety and personal security;

(d) Called upon the Secretary-General, the High Commissioner, the Department of Humanitarian Affairs of the Secretariat, the United Nations Children's Fund (UNICEF) and other United Nations organizations to mobilize, within existing resources, adequate assistance to unaccompanied minors in the areas of relief, education, health and psychological rehabilitation;

(e) Requested the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the resolution.

II. BACKGROUND

2. Children usually constitute over 50 per cent of the total refugee population. Because they are vulnerable, dependent and developing, refugee children need targeted care and assistance. Unaccompanied children have the same requirements. In addition, they have specific protection and assistance needs. The present report focuses on protection and assistance needs that are specific to refugee children who have become separated from their families.

3. In keeping with the Convention on the Rights of the Child, a child is considered to be a person below the age of 18 years unless, under the law applicable to the child, majority is attained earlier. The term "refugee child" may be understood to include those children who are refugees, returnees, asylum-seekers and displaced persons of concern to UNHCR.

4. Every effort should be made to keep families together in a refugee emergency and to prevent abandonment of children. It is therefore crucial that assistance is targeted to vulnerable families to enable them to keep their children, including foster children. Assistance to unaccompanied children should focus on protection of their rights, including their right to grow up in a family environment, and thus concentrate on family tracing and reunification efforts and on placing children in contexts that provide the unaccompanied child with family-like emotional support.

5. Unaccompanied children are those who are separated from both parents and are not being cared for by an adult who, by law or custom, is responsible for doing so. The term "separated child" is being increasingly used by some organizations to convey clearly the message that the child in question is not necessarily living on his or her own without the accompaniment of an adult, but has become separated from his or her parents or guardians. While the two terms cover the same reality, "separated" focuses on what is often the heart of the problem, and thus indicates the solution.

6. Many factors contribute to the difficulty in determining the number of unaccompanied children world wide. Reliable statistics, the awareness of the presence of unaccompanied refugee children and the way in which countries record such children vary greatly. With ongoing reunification efforts and new separations of families, numbers fluctuate. The nature of the refugee situation and the circumstances of flight, including the level of violence and suddenness, are important elements in determining the likelihood of the presence of significant numbers of unaccompanied children.

7. Unaccompanied children may constitute 3 to 5 per cent of the total refugee (or forcibly displaced) population. In the Rwanda emergency, unaccompanied refugee children represented about 3.5 per cent of the refugee population in July 1995. In South-East Asia, in 1992 they constituted about 4.5 per cent of the total Vietnamese camp population. Today, nearly 300 Vietnamese unaccompanied children still live in camps in exile; some of them arrived as

asylum-seekers as early as 1989 and have spent most of their childhood in the artificial environment of a camp. Around 6,000 unaccompanied children from the Sudan, now living in Kakuma camp in Kenya, form another group who have been deprived of normal family and community life for many years. On the other hand, there were few unaccompanied children among the Myanmar refugees in Bangladesh, as is also the case with the Bhutanese refugees in Nepal. In the Chechnya emergency in the Russian Federation, relatively few unaccompanied children have been identified.

8. Many of the examples used in the present report to illustrate efforts to assist and protect unaccompanied refugee children in areas of concern to the General Assembly are taken from the Rwanda/Burundi emergency. This emergency has created by far the highest number of unaccompanied minors in recent years; in July 1995 some 117,000 unaccompanied children were identified. In this situation, Governments, UNHCR, other United Nations organizations and non-governmental organizations concerned have exerted great efforts to assist and protect unaccompanied refugee children and to expedite reunification with their families. Examples from that emergency are also helpful in illustrating some of the general dilemmas in the protection of and assistance to unaccompanied children.

9. In the Rwanda/Burundi emergency UNHCR has established a Regional Support Unit for Refugee Children based in Kigali. UNICEF also has deployed specialists on the subject of unaccompanied children to advise agency staff, government counterparts and implementing partners. Both in Rwanda and Zaire, a number of national non-governmental organizations are involved with the care and management of unaccompanied children. Coordination, collaboration and a uniform regional approach is enhanced through, inter alia, the efforts of the Regional Support Unit and the UNICEF advisers.

III. INTER-AGENCY COOPERATION

10. UNHCR is mandated to provide international protection to refugees, including refugee children, and to promote durable solutions to their problems. UNICEF has, in accordance with its mandate, been called upon by its Executive Board to provide emergency assistance to refugee and displaced women and children.

11. Typically, unaccompanied children are found both within their country of origin and in exile among refugee populations. UNICEF is the agency responsible for coordination of support to unaccompanied children in their own country, while UNHCR is responsible for coordinating protection and assistance for refugee populations. The two organizations jointly establish overall policies and guidelines and ensure the necessary operational coordination and information-sharing between operations in countries of asylum and of origin. Both agencies coordinate with the International Committee of the Red Cross (ICRC) in relation to tracing, reunification activities and general policy. Examples of how coordination and collaboration have worked in practical terms are given below.

12. In the exercise of its responsibilities, and through the Inter-Agency Standing Committee, the Department of Humanitarian Affairs of the Secretariat has been engaged in coordination of assistance to a number of complex emergencies where the number of unaccompanied children suffering displacement was very high.

13. In September 1995, a meeting on family tracing and reunification was organized by the Save the Children Fund-UK with the participation of UNHCR, UNICEF, ICRC, the International Federation of Red Cross and Red Crescent Societies (IFRC) and representatives of some Governments responsible for large groups of unaccompanied children. The purpose was to develop an operational framework for the management of unaccompanied children in future emergencies and to consolidate technical and professional practice in this area.

IV. IDENTIFICATION, REGISTRATION AND TRACING

14. A first step in addressing the needs of unaccompanied children is their early identification and the collection of timely, detailed and accurate information on their number and whereabouts. There has been an increasing awareness in the international community of the importance of early and accurate registration. The tracing role of ICRC, including the centralized database for registration of unaccompanied children world wide, is important in that regard. There is also a common recognition of the importance of sharing data about the children to facilitate tracing, bearing in mind the best interests of the child, especially protection considerations.

15. The evacuation of children from the conflict in the former Yugoslavia presented the international community with particular challenges. It has been difficult to establish with certainty that all unaccompanied children have been identified and registered. This is due in part to initial disregard by some non-professional parties of certain basic rules, such as ensuring proper registration of the child and the sharing of such information with the child welfare authorities in the country of exile. In addition, evacuation figures were inflated in the earlier stages of the conflict; there were tracing difficulties due to problems of access to conflict areas and refugees from the former Yugoslavia were evacuated to a large number of asylum countries.

16. The UNHCR Operation ReUNite was created as an additional registration and tracing tool in the situation described above. The system consists of a database containing digitalized pictures of children and other information facilitating easy computer search for records of missing children. Over 6,300 children in and from the former Yugoslavia have been registered in the database. Although these children are separated from their parents, they are often living with more distant relatives.

17. UNICEF has developed a system in conjunction with non-governmental organizations for the registration, tracing and reunification of unaccompanied children. The system is being successfully implemented in Rwanda. Organizations working with unaccompanied children are also exploring ways to support existing registration initiatives and share information so that implementing partners can begin active tracing as early as possible. One such

example is ICRC or the Save the Children Fund-UK training of non-governmental organizations to ensure registration compatibility and proper safeguards to protect children, combined with local knowledge of the child's family and community.

18. Children's needs in refugee emergencies are being assessed from the outset with the help of UNHCR special standby arrangements with the Swedish non-governmental organization Rädda Barnen, designed to ensure that trained community services officers are deployed with the emergency teams. The immediate attention to unaccompanied children in emergencies has greatly enhanced the timeliness and the quality of the response to their needs. In 1994 such staff were deployed to emergencies in Liberia, Uganda and the United Republic of Tanzania, and in 1995 to Dagestan, North Ossetia and Ingushetia, in the Russian Federation.

19. Developments during 1994 and 1995 in the Rwanda emergency highlighted the problem of abandonment of children by their own impoverished families in the belief that the children would have better access to food and social services through unaccompanied children's centres set up by humanitarian agencies in refugee and displaced persons camps. Two initiatives to support family unity are worth mentioning in this context: one is a prevention of abandonment programme to assist vulnerable families to continue caring for their children, developed by Food for the Hungry International and supported by UNHCR. The second initiative is a family mediation programme, developed by UNICEF and aimed at reuniting children in centres with their families. Specific steps have been taken to train the concerned staff to provide children and families with counselling and material support. An extra food ration card, an additional blanket or piece of plastic sheeting may be all that is required to enable families to provide for reunited children.

20. Since the onset of the Rwandan emergency, over 16,000 separated children had been reunited with parents and extended family members by July 1995. Multi-agency involvement, decentralization of responsibilities and inter-agency information-sharing are key elements in this regional effort. Different tracing methods are used to locate scattered family members. These include:

(a) Active tracing, including dissemination of children's names at food distribution centres, markets and other public focal points;

(b) Family mediation programmes to enable children who entered centres for unaccompanied children because of poverty, food shortages or social problems to return to their families;

(c) Photo-tracing for difficult to trace cases;

(d) Messages sent through ICRC to re-establish contact between separated family members;

(e) Database tracing to track and match family members in various countries.

21. If missing children are located, the first problem has been overcome, but the second challenge, to reunite family members living in different countries, sometimes proves extremely difficult, or very time-consuming. Obstacles to speedy reunification for children whose family members have been located in another country are sometimes of an inter-country nature, such as determining the country in which reunification should take place and establishing the procedures to follow. Sometimes the child is advised against joining his or her parents, for legitimate reasons, such as when the reunion would take place in a conflict zone. Adults in the refugee community may advise the child not to go home for other reasons. The nature of such problems and the justification for their being raised may be very different, but the results tend to be the same - the child is not reunited with the family, or it takes too long.

V. PSYCHOSOCIAL REHABILITATION

22. The psychosocial needs of refugee children are receiving increased attention, compared with only a few years ago. Many refugee children have suffered the trauma of violence, separation and loss, which time alone cannot heal. Community-based interventions to help restore normality to the extent possible usually have two main thrusts. Firstly, they involve a preventive measure, enhancing all those factors which promote the well-being of children. Secondly, they include the remedial assistance necessary to ensure that children who have been harmed or have special needs are provided assistance to recover. Most of the measures described in the present report, such as tracing, reunification and good foster placement, contribute to restoring normality and promoting well-being. The provision of education is also important in bringing normality back to the life of a refugee child.

23. UNHCR has carried out much of its field work for the psychosocial well-being of children through community services and education programmes, with a relatively limited focus on individual children who need specialized services. Professional mental health programmes are provided in collaboration with specialized non-governmental organizations.

24. UNICEF has focused over the years on provision of trauma counselling. This is primarily done within the context of its community approach to massive rehabilitation of unaccompanied children. Child-care workers from the community are trained to identify and provide initial care for children traumatized by war, violence and separation from their families. Such assistance has been provided in Angola, Rwanda, Burundi, Liberia and the countries of the former Yugoslavia.

25. Among the unaccompanied refugee children in Goma, Zaire, UNICEF estimates that around 25 per cent are severely traumatized. To respond to the problem, UNICEF has set up psychosocial activities through its implementing partners.

VI. SOME PERSISTENT PROTECTION PROBLEMS

26. The Executive Committee of the High Commissioner's Programme has repeatedly expressed its concern about the risk facing unaccompanied refugee children in respect of military recruitment. It has called upon States hosting refugees, most recently in 1994, in close collaboration with UNHCR and other relevant organizations, and consistent with the UNHCR Guidelines on Refugee Children, to safeguard the security of refugee children and to ensure that they are not recruited into military or other armed groups.

27. Allegations of recruitment of refugee children as combatants or "assistants" to the military or cases of children who are living with the military for alleged protection purposes, continue to emerge in situations of armed conflict. The secretive way in which such recruitment is usually done, the difficulties in obtaining information about child recruits and the fact that such recruitment is often carried out by non-official military groupings increase the difficulty of finding rapid solutions.

28. It is the responsibility of host Governments to ensure that the necessary measures are taken to prevent military coercion, especially of children, in refugee camps. UNHCR strongly advocates measures to protect children from being recruited into military activities, such as those ensuring that children below the age of 15 years are not allowed to volunteer. Human rights training of refugee adults and children is one important channel for such advocacy. UNICEF may seek to influence armed groups in the country of origin to respect humanitarian law and to refrain from recruiting children. UNICEF, through its Operation Lifeline Sudan, reports that opposition groups have signed a new set of ground rules for the Operation, which contain a commitment to the principles set out in the Convention on the Rights of the Child and the Geneva Conventions, and a set of humanitarian principles.

29. In Sierra Leone, UNICEF has also carried out an advocacy campaign for the demobilization of child combatants both in the country and among the refugee population. Rehabilitation of former child combatants or children who have lived with the military and their reintegration into their family and community is often a challenge. UNICEF, actively supported by certain non-governmental organizations such as the International Catholic Child Bureau and Rädda Barnen, has taken a lead in those activities.

30. A particular challenge facing those responsible for the liberty and well-being of refugee children is the occurrence of situations in which children live with or under alleged control of former military in camps. Efforts are made to separate these children from the former military and establish vocational training and rehabilitation programmes.

31. Other protection problems confronting unaccompanied refugee children include deprivation, neglect or abuse, which may occur both in foster families and in institutions. For example, there have been incidents of sexual exploitation of unaccompanied girls by camp officials, security or military personnel. UNHCR has brought many such incidents to the attention of the concerned authorities, which often results in the abuse being brought to an end. The development of agreed guidelines and procedures, training activities and

close monitoring of the child's well-being and options are measures to be taken to prevent such abuse. Advice on how to help children is included in the recently published UNHCR guidelines on prevention of and response to sexual violence against refugees.

32. Evacuation and adoption of refugee children tend to arise as issues in most major emergency situations. UNICEF and UNHCR, together with ICRC and IFRC have issued joint statements, specific to the conflict situations in the former Yugoslavia and Rwanda, which contain, inter alia, considerations and policies on evacuation, adoption, registration, tracing and the importance of keeping families together.

33. The joint statements have been well received. It is believed that they have contributed to reducing the number of well-intended, but ill-conceived evacuations of children while at the same time providing advice on alternative ways to help. The Executive Committee of UNHCR has expressed concern that despite the efforts described above, some evacuations continue to be undertaken in an irregular manner, without adequate registration and documentation, thus reducing the possibilities of reuniting such children with their families.

VII. REPATRIATION AND REINTEGRATION

34. Preparatory work and exchange of information both in and between the country of asylum and the country of origin is crucial to ensuring the sustainability - to the extent possible - of relationships such as foster placement. Finding solutions to problems that might lead a foster family to abandon an unaccompanied child in a repatriation process, may ensure a certain continuity in the life of the child and reduce the risk that the child, if abandoned, will join the ranks of street children or other children at risk of exploitation and abuse.

35. In the draft memorandum of understanding between UNICEF and UNHCR currently under discussion, the role of UNICEF in facilitating the reintegration of vulnerable returnee children is highlighted. Country of origin authorities may need support in the re-establishment of child care and monitoring systems for vulnerable children in returnee areas. It is also important that family tracing and reunification efforts continue after repatriation for those whose families have not been found. Cambodia and Mozambique are among countries where such efforts continue. While UNICEF in Mozambique continues to support institutions assisting disadvantaged children, methods of reuniting children living in orphanages with their families are under review.

36. UNHCR has, together with non-governmental organizations and local authorities, established or promoted projects in countries of origin, for example Haiti and Viet Nam, to trace families of unaccompanied children living in camps in exile, among them alleged orphans, to prepare the return of the child and to facilitate and monitor reintegration into the family and the community.

VIII. SOME LESSONS LEARNT

37. Efforts to provide protection and assistance to unaccompanied children in most parts of the world have enabled UNHCR, sometimes in collaboration with UNICEF, to document some consistent lessons learnt and to translate them into handbooks and guidelines. Among those lessons reiterated over the past year are:

(a) Coordination, leadership and clearly communicated policy and guidelines are essential in the early parts of a refugee emergency, involving the host Government, the refugee community, other United Nations agencies and concerned non-governmental organizations. There is a need to establish and communicate clear priorities and procedures, and to ensure the agreement of all parties involved;

(b) The best interests of the individual child should determine the protection, care and placement of unaccompanied children during emergencies. For example, if foster placement is a viable option, generally it should be preferred to institutional care, even if the availability of resources from certain private donors would favour the latter. Host Governments, country of origin Governments and the international community face a major public information challenge in trying to solicit and channel the support of such donors into options that are in the best long-term interests of the children;

(c) An awareness of the customs, beliefs and child care practices of a refugee community is critical to successful intervention. There are, however, what may rightfully be seen as basic needs of unaccompanied children all over the world. Among them are protection from exploitation, the necessity for material assistance and human attachments, and support from their own community;

(d) When it is evident that unaccompanied children constitute a significant component of a refugee emergency, a child specialist with experience in similar situations should be deployed immediately. In most refugee emergencies over the last two years, the deployment of community service staff as part of emergency teams has greatly enhanced the timeliness and the quality of response to the needs of unaccompanied children;

(e) Tracing and family reunification work are very labour-intensive and may require a long-term commitment from qualified non-governmental organizations. For example, foster placement in the best interests of the child may require difficult outreach work and monitoring and, where necessary, corrective action over many years;

(f) A two-pronged approach to meeting the needs of children is necessary in an emergency; while establishing procedures to assist and protect unaccompanied children from the very beginning, vulnerable and impoverished families must be supported in their efforts to care for their children in the family;

(g) Care must be taken not to contribute to the splitting up of other families. Assistance must not be provided in such a way that vulnerable families are led to believe that unaccompanied children are in a "privileged"

class, standing a greater chance of survival than other children - that they are given more and better food, better medical care and better access to education facilities than children living with families. In Goma, Zaire, 60 per cent of the children placed in centres for alleged orphans are found to have relatives in nearby camps;

(h) Where it is seen as necessary to establish centres for unaccompanied children, they should not be segregated and located away from the overall refugee population. In order to improve the quality of care, centres should be organized in family-like units where a care-giver or "house mother" is responsible for a small group of children of varied ages. Children need access to adequate adult supervision, role models and caring family life. Re-establishing as normal an environment as possible for the child is vital;

(i) The presence of child care facilities such as an orphanage or a supplementary feeding centre may in itself exert an influence and facilitate abandonment. The prevention of abandonment of children, voluntary separation and family disintegration can in some cases be countered through knowledge about why children have been separated from their original families and be addressed through protection of and assistance to the family. Children are abandoned, for example, because of lack of food or shelter, or when the family sees its situation as hopeless. The objective is to support the family unit in such a way that it can stay together;

(j) There is a need for active dissemination, awareness-raising and enforcement by government officials of agreed policies and positions. A government commitment to establishing family reunification and non-institutional care as the official strategies would serve as a basic reference point for actions on behalf of unaccompanied children. It would also prevent the establishment of costly and inappropriate services that make corrective action difficult and labour-intensive.

IX. CONCLUSION

38. Despite tragedies that continue to affect children as a result of conflict and persecution, progress has been made in the quality and timeliness of the international community's response to the problems facing unaccompanied minors. UNHCR is collaborating closely with UNICEF, Governments, ICRC and non-governmental organizations to enhance the protection of and assistance to unaccompanied children in refugee situations.

39. A closer and developing collaboration between UNHCR and UNICEF will aim at further improving emergency response, at the same time ensuring compatibility with long-term solutions for the child, most often, it is hoped, to be found in the country of origin. It is also expected that the systematic approach to the needs of unaccompanied minors by specialized non-governmental organizations will further contribute to an improved response to their needs.